

CITY OF VANCOUVERSPECIAL COUNCIL - JULY 26, 1977PUBLIC HEARING

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, July 26, 1977, at 2:00 p.m., in the Council Chamber, for the purpose of holding a Public Hearing to amend the Zoning and Development By-law.

PRESENT: Mayor Volrich  
Aldermen Bellamy, Brown, Ford, Gerard,  
Gibson, Kennedy, Marzari, Puil  
and Rankin

ABSENT: Alderman Harcourt (Leave of Absence)

CLERK TO THE COUNCIL: D.H. Little

COMMITTEE OF THE WHOLE

MOVED by Ald. Rankin,  
SECONDED by Ald. Kennedy,

THAT this Council resolve itself into Committee of the Whole, Mayor Volrich in the Chair, to consider proposed amendments to the Zoning and Development By-law.

- CARRIED UNANIMOUSLY

To aid the public present for the Hearing, the Clerk to the Council read from the agenda that the Council had before it.

1. Rezoning - Easterly 48 feet of Lot 1, Block  
48, D.L. 2027 - S/E Corner West 33rd Avenue  
and MacKenzie Street

An application was received from Mr. Doug Derish on behalf of Canada Permanent Trust Company to rezone the above property from (RS-1) One Family Dwelling District to (C-1) Commercial District.

The application was approved by the Director of Planning.

Mr. R. Scobie, Zoning Division, advised that the westerly 33.6 feet of Lot 1 is presently zoned (C-1). The uses on Lot 1 are currently non-conforming. The proposed rezoning would eliminate the non-conforming aspects of commercial development on residentially-zoned land.

The Mayor called for speakers for or against the application and representations were received as follows:

- Mr. H. van Eijnsbergen, Solicitor appearing on behalf of Canada Permanent Trust Company, submitted a brief (on file in the City Clerk's Office), requesting that the portion of the property that is residentially-zoned be rezoned to (C-1) to allow upgrading of a development that has served the local community for 43 years and is no longer adequate. An applicable redevelopment can not occur if more than one-half of the property remains residentially-zoned.
- Mr. Cecil A. Reade, 3176 West 33rd Avenue, stated that the site should not be rezoned. If it is rezoned and redeveloped, what will happen to the three small businesses. There are no development plans to indicate what will replace the existing businesses.

A letter dated July 19, 1977, from Mr. and Mrs. D. Duncan, 2825 West 31st Avenue (on file in the City Clerk's Office) stating that they and many others in the area are strongly opposed to the proposed rezoning, was circulated at the meeting.

cont'd....

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S/E Corner West 33rd Avenue  
& MacKenzie Street (cont'd)

MOVED by Ald. Puil,  
THAT the foregoing rezoning application be approved.

- LOST

(Aldermen Brown, Ford, Gibson, Marzari, Rankin and  
the Mayor opposed)

The Director of Planning requested that the Clerk read the descriptions of the following three applications as they were inter-related and should be considered at the same time. The members of Council agreed and the Mayor so directed.

2. Area West of the Quebec/Columbia  
Connector at Terminal Avenue
- 3(a) N/W Corner of Main Street and  
Terminal Avenue
- (b) Text Amendment to Schedule C -  
Streets Requiring Landscaped Setbacks

Two applications were received from Mr. Peter Watts on behalf of Ocean Construction Supplies Ltd. to rezone a portion of Lot A, D.L.'s 2037 & 2064, Plan 5568; a portion of Lot B, D.L. 2037, Amended Plan 5568 and a portion of Parcel C ( Explanatory Plan 3340) except that part included in Plan 15452 of Lot 2, D.L. 2037, Plan 5568 being the area west of the Quebec/Columbia Connector at Terminal Avenue; AND an area of approximately 12,000 square feet, being almost triangular in shape and having a frontage along Main Street from Terminal Avenue northerly of approximately 216 feet and a frontage along Terminal Avenue westerly of approximately 78 feet (Portion of Lot 3, D.L. 2037, Plan 15505), being the north west corner of Main Street and Terminal Avenue.

From: (RS-1) One Family Dwelling District

To: (M-1) Industrial District.

Also submitted was a request by the Director of Planning for a text amendment to Schedule C - 'Streets Requiring Landscaped Setbacks' to establish a landscaped setback at the location and covering the area noted in (a) above.

Mr. Spaxman, Director of Planning, advised that in 1970, City Council granted an option to purchase the lands in question to Ocean Cement 'for the purpose of their business' in return for the Company's riparian rights to False Creek which the City required to permit filling of an area at the eastern end of False Creek and for the creation of the Quebec/Columbia Connector.

Discussions in 1975 with respect to policies for the eastern end of False Creek suggested a diversity of land use in the area, a public walkway and links to Chinatown. A development permit application for the existing truck wash at Main and Terminal was approved subject to the triangular piece at the northwest corner of Main and Terminal being retained as a landscaped setback.

Mr. Spaxman advised that he approved the application for rezoning of this approximately 12,000 square foot triangular portion from RS-1 to M-1 on the understanding that he would apply for a text amendment to Schedule C 'Streets Requiring Landscaped Setbacks' to include this entire triangular piece.

The Mayor called for speakers for or against the proposed rezoning and representations were received as follows:

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Area West of Quebec/Columbia Connector;  
N/W Corner of Main and Terminal and Text  
Amendment to Schedule C (cont'd)

- Mr. Peter Watts, on behalf of Ocean Construction Supplies Ltd., referred to a letter dated July 13, 1977, which had been distributed to the Council prior to the meeting (on file in the City Clerk's Office). Mr. Watts stated that the imposition of a landscaped setback would be discriminatory as no other landscaped setbacks are required in the area. It would be a breach of the 1970 agreement with the City and the agreement contained a clause that the Company could not purchase any portion of the property that was required for civic purposes. The City did not exercise its right to acquire a portion of the property for civic purposes. Many discussions were held with the Planning Department with respect to an application to rezone this property to M-1. Mr. Watts advised that on occasions the Department was agreeable to the rezoning; on other occasions, they were against the rezoning.
- Mr. N.D. MacRitchie, President of Ocean Construction Supplies Ltd., advised that the intent of the 1970 agreement was to provide an alternative location for their business when the Granville Island plant was required by C.M.H.C. to be phased out and the intent was that this property would be rezoned to M-1 Industrial. Mr. MacRitchie stated that it was reasonable to require a landscaped setback as part of a development permit application but it was not reasonable to make it a condition of rezoning and this is a misuse of the Zoning By-law.

Discussions ensued as to whether the whole portion of the 12,000 square foot triangular area should be required for setback. A 20 foot setback was suggested rather than the entire 78 foot frontage along Terminal Avenue.

MOVED by Ald. Brown,

THAT the application to rezone the area west of the Quebec/Columbia Connector at Terminal Avenue and the application to rezone the north west corner of Main Street and Terminal Avenue be approved.

(Deferred)

MOVED by Ald. Puil,

THAT consideration of the applications to rezone the area west of the Quebec/Columbia Connector at Terminal Avenue and the north west corner of Main Street and Terminal Avenue be deferred for three months pending further negotiations between the Planning Department and Ocean Construction Supplies Limited.

- CARRIED

(Aldermen Brown, Kennedy and the Mayor opposed)

4. One Lot on the north side of East 31st Avenue 135 feet east of Fraser Street

An application was received from Mr. M. Katz to rezone Lot 44, Block 9, D.L.'s 391 and 392 being one lot on the north side of East 31st Avenue approximately 135 feet east of Fraser Street.

From: (RS-1) One Family Dwelling District

To: (RT-2) Two Family Dwelling District.

The application was approved by the Director of Planning.

The Mayor called for speakers for or against the proposed rezoning and no one appeared.

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One Lot on the north side of East 31st  
Avenue 135 feet east of Fraser Street  
(cont'd)

MOVED by Ald. Rankin,

THAT the foregoing rezoning application be approved subject to the following conditions:

- (i) That the unopened City lane be acquired and any existing utilities be relocated or contained within a suitable easement to the satisfaction of the City Engineer.
- (ii) That Lots 18-22 inclusive plus the closed lane plus Lot 44 be consolidated into one parcel and so registered in the Land Registry Office.

Should the above conditions not be complied with by the owners within 180 days from the date of the Public Hearing, then the approval granted at the Public Hearing shall expire.

- CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Ald. Rankin,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

MOVED by Ald. Rankin,  
SECONDED by Ald. Bellamy,

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring in the necessary amendments to the Zoning and Development By-law.

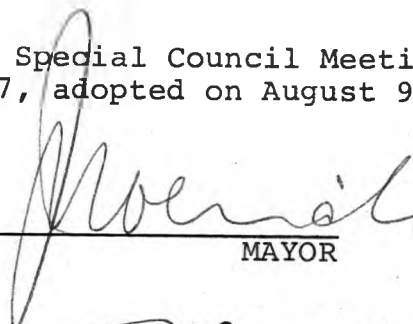
- CARRIED UNANIMOUSLY


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The Council adjourned at approximately 3:25 p.m.

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The foregoing are Minutes of the Special Council Meeting  
(Public Hearing) of July 26, 1977, adopted on August 9, 1977.

  
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MAYOR

  
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CITY CLERK